

Application No.: 10/598,717  
Filing Date: September 8, 2006

**REMARKS**

Claims 1-4, 6, 7, 9, 10, 14-16, 18, 19 and 21-24 have been canceled. Claims 25 has been amended by re-writing in independent format. New independent Claims 31 and dependent Claims 27-30 and 32-36 have been added. Support for the new independent Claim 31 is presented, for example, in Claim 1 as previously presented. Support for the rest of the new claims is presented, for example, in Claims 3, 4, 6, 7, 9, 10, 14-16, 18, and 19. Thus, no new matter has been added. Applicants respectfully request entry of the amendments and reconsideration of the present application in view of the amendments and the remarks set forth below.

**Claim Rejection – 35 U.S.C. § 103**

Claims 1-4, 6, 7, 9, 10, 14-16, 18, 19, and 21-24 have been rejected under 35 U.S.C. § 103, as being unpatentable over Roberts. Considering the coverage of method claims, Applicants canceled the product Claims 1-4, 6, 7, 9, 10, 14-16, 18, 19, and 21-24.

**Discussion of Patentability of Method Claims**

Claim 25 has been allowed. Claims 25 is re-written in independent format and further structural description of the polishing pad is added for further clarification. In the course of the amendment, the subject matter of the steps prior to the selecting step has been incorporated in the selecting step. Thus, the claim scope has not been substantially changed.

New Claim 31 is identical with Claim 25 except “KOH aqueous solution at pH 11” is used instead of “H<sub>2</sub>O<sub>2</sub> aqueous solution at pH 4.” Accordingly, Applicants respectfully submit that Claim 31 is patentable for the same reasons as Claim 25.

The rest of the new claims depend from Claims 25 or 31 and further define additional technical features of the present invention. In view of the patentability of Claims 25 and 31, and in further view of the additional technical features, Applicants respectfully submit that these claims are patentable.

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### **CONCLUSION**

In view of Applicant's foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

#### **No Disclaimers or Disavowals**

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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